

**REGULAR MEETING
RENO CITY COUNCIL
BRIEF OF MINUTES
April 28, 2010**

The Reno City Council held a regular meeting at 10:07 a.m. on Wednesday, April 28, 2010 in the Council Chambers in City Hall.

PRESENT: Councilpersons Gustin, Zadra, Sferrazza, Dortch, Aiazzi and Hascheff and Mayor Cashell.

ABSENT: None.

ALSO PRESENT: City Manager Dreska, City Attorney Kadlic, Chief Deputy City Attorney Chase and City Clerk Jones.

A.3 APPROVAL OF THE AGENDA – April 28, 2010.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to approve the agenda with items C.1.k., F.3 and F.3.1 withdrawn.

Motion carried.

A.4 APPROVAL OF THE MINUTES – April 8, 2010 and April 14, 2010.

It was moved by Councilperson Aiazzi, seconded by Councilperson Gustin to approve the minutes.

Motion carried.

B.0 CASH DISBURSEMENTS – March 28, 2010 through April 17, 2010.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to approve the Cash Disbursements.

Motion carried.

**AGENDA
ITEM
NO.**

C.0 CONSENT AGENDA

C.1 Approval of Privileged Business Licenses

New License – Cabaret

- a. The Firkin and Wolf Pub and Restaurant, James M. Phalan II, 13971 South Virginia Street.

New Licenses – Liquor

- b. Bibo Coffee Company, Paul Martin and Debbie Spieker, 945 Record Street.
- c. La Cucina Italian Deli and Restaurant, Louis John Cassinari, 3600 Lakeside Drive.
- d. Napa Sonoma Grocery Company, Dennis Banks and Art Hinckley, 550 West Plumb Lane, Suite E.
- e. Napa Sonoma Grocery Company, Dennis Banks and Art Hinckley, 550 West Plumb Lane, Suite E.
- f. Tacos El Rey, Jose Alberto De La Torre, 5100 Mae Anne Avenue, Suite 103.
- g. Valentina Market, Dmitry Litvinov, 2875 Kietzke Lane.

Change of Ownership – Gaming

- h. Lamppost Pizza, James R. Watson, 1141 Steamboat Parkway, Suite 930.

Supplemental Application – Add on Cabaret

- i. Beck's Brew House, Garrett Hallenbeck and Mark Hallenbeck, 3611 Kings Row.
- j. Club Cal Neva, Jeffery L. Siri, 38 East Second Street.
- k. Se7en Teahouse, Huong Thai, 100 North Arlington Avenue, Suite 102.
This item was continued from the April 14, 2010 City Council meeting.

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

- l. Strega Bar, Jeremy Wade Morrow, 310 South Arlington Avenue.

Supplemental Application – Liquor

- m. European Food Emporium, Johnny Anthony Ribeiro, Jr. and Michael P. Ghiorso, 7300 South Virginia Street.
- n. Hyatt Place, Dewey F. Weaver, Jr., James Moore and John Turner, 1790 East Plumb Lane.

Recommendation: Staff recommends that the Council approve the Privileged License applications, subject to Police Department approval.

C.2 Staff Report: Approval of a Contract Termination Agreement with Petersen Construction, Inc. for the 2009 Permanent Patch Program.

Recommendation: Staff recommends that the Council approve the Termination Agreement and authorize the Mayor to sign.

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NO.

- C.3 Staff Report: Approval of a bid award to Q&D Construction for the 2010 Permanent Patch Program in an amount not to exceed \$454,000.
(Excavation/Encroachment Permit Funds)

Recommendation: Staff recommends that the Council approve the bid award.

- C.4 Staff Report: Approval of the Interlocal Cooperative Agreement for Inspection and Supervisory Services and Reimbursement thereof with the Regional Transportation Commission (RTC) in an amount not to exceed \$135,000, to be paid to the City.

Recommendation: Staff recommends that the Council approve the agreement and authorize the Mayor to sign.

- C.5 Staff Report: Authorization for the City of Reno to participate through the State of Nevada in an intervention action with respect to a False Claims Act Lawsuit against JM Eagle (manufacturer of PVC pipe) and Formosa Plastics USA (manufacturer of the resin used in JM PVC pipe).

Recommendation: The City Attorney's Office and staff recommends that the Council authorize the City to participate through the State of Nevada in an intervention action with respect to a False Claims Act Lawsuit against JM Eagle (manufacturer of PVC pipe) and Formosa Plastics USA (manufacturer of the resin used in JM PVC pipe).

- C.6 Staff Report: Approval of a transfer of funds from the Ward Three Neighborhood Advisory Board (NAB) Community Pride Grant (CPG) funds to the City of Reno Special Events budget for expenses associated with the International Fiesta on Wells Avenue special event in the amount of \$3,250. **[Ward 3]**

Recommendation: The NAB recommends that the Council approve the request to allocate a CPG to the Special Events budget.

- C.7 Staff Report: Approval of a FY2005/2010 Collective Bargaining Agreement with the Reno Police Supervisory and Administrative Employees (RPSAE) Association Deputy Chiefs representing a catch up with past years to June 2010.

Recommendation: Staff recommends that the Council approve of the Fiscal Year 2005/2010 Collective Bargaining Agreement with the RPSAE and authorize the Mayor to sign.

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- C.8 Staff Report: Authorization to submit an application to the National League of Cities Awards for Municipal Excellence for the Reno Police Department Victim Services Unit.

Recommendation: Staff recommends that the Council authorize staff to submit an application.

- C.9 Staff Report: Approval of the initiation of an amendment to Reno Municipal Code Section 18.16.904, "Permanent Off-Premises Advertising Displays – Permitted and Prohibited Locations" regarding the definition of "freeway" and a "major and minor arterial road."

Recommendation: Legal counsel recommends that the Council approve the initiation of an amendment to clarify the language of RMC Section 18.16.904.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to approve items C.1 through C.9 with item C.1.k. withdrawn and items C.1.d., C.1.e, C.1.l., C.5, C.7 and C.9 pulled for discussion.

Motion carried.

- C.7 Staff Report: Approval of FY2005/2010 Collective Bargaining Agreement with the Reno Police Supervisory and Administrative Employees (RPSAE) Association Deputy Chiefs representing a catch up with past years to June 2010.

Recommendation: Staff recommends that the Council approve of the Fiscal Year 2005/2010 Collective Bargaining Agreement with the RPSAE and authorize the Mayor to sign.

Renee Rungis, Director of Human Resources, presented an overview of the Staff Report.

Councilperson Sferrazza clarified that the fiscal impact to the City of the judge's opinion is \$44,276.

Chuck Walker, 2365 Eagle Bend Trail, presented a Public Comment Form, but did not speak.

It was moved by Councilperson Sferrazza, seconded by Councilperson Zadra to uphold the staff recommendation.

Motion carried.

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- C.9 Staff Report: Approval of the initiation of an amendment to Reno Municipal Code Section 18.16.904, “Permanent Off-Premises Advertising Displays – Permitted and Prohibited Locations” regarding the definition of “freeway” and a “major and minor arterial road.”

Recommendation: Legal counsel recommends that the Council approve the initiation of an amendment to clarify the language of RMC Section 18.16.904.

Marilyn Craig, Deputy City Attorney, presented an overview of the Staff Report.

Ryan Saunders, 1764 West 2900 S, Ogden, UT, representing Saunders Outdoor Advertising, said that the measuring point should be from the right-of-way.

Susan Schulte, 4204 Juniper Creek Road, representing Saunders Outdoor Advertising, presented a Public Comment Form stating that the measurement for billboards should be from the right-of-way, but did not speak.

Daniel Schulte, 775 East Glendale Avenue, Sparks, representing Yesco Outdoor Media, said that billboards should be measured from the right-of-way line.

Ms. Craig and Councilperson Gustin discussed the process for soliciting community input and a recommendation from the Planning Commission before the item comes back to the Council.

It was moved by Councilperson Gustin, seconded by Councilperson Hascheff to approve the initiation of an amendment to clarify the language of RMC Section 18.16.904.

Councilperson Sferrazza asked who requested the amendment, and said that public input should be solicited before the amendment is initiated.

Ms. Craig explained why the language in RMC Section 18.16.904 should be clarified, and said that staff brought the issue forward because an application involving the issue has been filed with the City of Reno.

Councilperson Aiazzi and Ms. Craig discussed a need for also determining the point at which the billboards are measured (e.g. from the center of the post, or from the nearest or farthest edge of the post).

Councilperson Hascheff and Ms. Craig discussed whether the current applicant would be notified that an amendment that might affect his application is pending. Ms. Craig explained why it would be unfair to hamper the pending application with the ordinance change in this case.

Motion carried.

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NO.

- C.5 Staff Report: Authorization for the City of Reno to participate through the State of Nevada in an intervention action with respect to a False Claims Act Lawsuit against JM Eagle (manufacturer of PVC pipe) and Formosa Plastics USA (manufacturer of the resin used in JM PVC pipe).

Recommendation: The City Attorney's Office and staff recommends that the Council authorize the City to participate through the State of Nevada in an intervention action with respect to a False Claims Act Lawsuit against JM Eagle (manufacturer of PVC pipe) and Formosa Plastics USA (manufacturer of the resin used in JM PVC pipe).

Chuck Walker, 2365 Eagle Bend Trail, stated his opposition to the City's participation in the lawsuit.

Susan Ball Rothe, Deputy City Attorney, presented an overview of the Staff Report and due diligence process.

Councilperson Hascheff stated that there is enough evidence of catastrophic failure for the City to participate in the lawsuit, and otherwise there would be no recourse if the pipes were to fail in the future.

It was moved by Councilperson Hascheff, seconded by Councilperson Sferrazza to uphold the staff recommendation.

Motion carried.

C.1 Approval of Privileged Business Licenses
Supplemental Application – Add on Cabaret

1. Strega Bar, Jeremy Wade Morrow, 310 South Arlington Avenue.

Recommendation: Staff recommends that the Council approve the Privileged License applications, subject to Police Department approval.

Mayor Cashell and Ana Navarro, Revenue Program Manager, discussed hours of operation issues.

Claudia Hanson, Community Development Planning Manager, said that zoning in that district requires closing at 12:00 midnight.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to uphold the staff recommendation.

Motion carried.

**AGENDA
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NO.**

D.0 PROCLAMATIONS:

- D.1 Proclamation declaring the week of May 1-8, 2010 as Nevada Wildland Fire Awareness Week – Fire Chief Michael Hernandez

Councilperson Zadra, on behalf of Mayor Robert A. Cashell, Sr. and the City of Reno, proclaimed May 1-8, 2010 as Nevada Wildland Fire Awareness Week.

- D.2 Proclamation declaring the week of May 15-21, 2010 as Bike to Work Week in the City of Reno – Councilmember Dave Aiazzi

Councilperson Aiazzi, on behalf of Mayor Robert A. Cashell, Sr. and the City of Reno, proclaimed May 15-21, 2010 as Bike to Work Week in the City of Reno.

- D.3 Proclamation declaring May 8, 2010 as Keep Truckee Meadows Beautiful's Great Truckee Meadows Community Cleanup Day – Christi Cakiroglu, Executive Director

Councilperson Sferrazza, on behalf of Mayor Robert A. Cashell, Sr. and the City of Reno, proclaimed May 8, 2010 as Keep Truckee Meadows Beautiful's Great Truckee Meadows Community Cleanup Day.

- D.4 Proclamation declaring May 8, 2010 as National Train Day in Reno – Tim Elam

Councilperson Gustin, on behalf of Mayor Robert A. Cashell, Sr. and the City of Reno, proclaimed May 8, 2010 as National Train Day in Reno.

E.0 PRESENTATIONS:

- E.1 Presentation recognizing Reno Fire and Police personnel on being named American Red Cross Heroes – Police Chief Michael Poehlman and Fire Chief Michael Hernandez

Chief Poehlman and Chief Hernandez made the presentations.

**AGENDA
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NO.**

F.0 PUBLIC HEARINGS - 10:15 A.M.

- F.1 **Staff Report:** Request for a zoning text amendment to the Plumgate SPD (Specific Plan District) Handbook to: (1) allow alcohol service for a specialty retail establishment; and (2) add a definition for the hours of operation for the specialty retail establishment. The ±1.44 acre parcel is part of an overall 6.1-acre site that the SPD Handbook governs and is located at the southeast intersection of Plumb Lane and Arlington Avenue in the SPD zoning district. **Case No. LDC10-00037 (Plumgate SPD Amendment - Napa Sonoma). [Ward 2]**

Recommendation: The Planning Commission recommends approval of the requested zoning text amendments, subject to Condition A.

The Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and a letter in opposition was received from James and Yvonne Booth, 496 West Plumb Lane.

Mayor Cashell opened the public hearing and asked if anyone wished to speak.

Paul Abowd, 805 South Arlington Avenue, discussed his opposition to allowing any business in Plumgate to operate later than 9:00 p.m.

Stewart White, 757 Skyline Boulevard, discussed his opposition to allowing businesses in Plumgate to remain open after 9:00 p.m.

The Mayor closed the public comment portion of the hearing.

Councilperson Zadra said that no one testified in opposition to the proposal when it was brought before the Neighborhood Advisory Board (NAB) and Planning Commission, and asked staff to provide a brief history of the Plumgate project.

Claudia Hanson, Community Development Planning Manager, said that there were numerous public meetings when the SPD was first adopted, and included such issues as hours of operation and building orientation. She said that the SPD Handbook currently allows Plumgate businesses to operate until 10:00 p.m., but Napa Sonoma is requesting to stay open until 12:00 midnight.

Discussion ensued regarding the hours of operation of the Stone House Café (1907 South Arlington Avenue).

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F.1 Case No. LDC10-00037 (Plumgate SPD Amendment - Napa Sonoma) – continued

Derek Wilson, Rubicon Design Group, representing the applicant, said that Napa Sonoma will sell gift baskets and other retail goods, and the wine tasting bar will be part of the retail establishment. He said that Plumgate already allows liquor sales, but not as an adjunct to specialty retail sales, and the purpose of keeping the wine bar open until midnight is to allow people to drop by after a movie or some other evening activity to enjoy a drink and not feel that they are being rushed to leave.

Councilperson Zadra and Ms. Hanson agreed that entertainment of any kind is prohibited at Plumgate.

Councilperson Sferrazza and Ms. Hanson discussed the hours of operation at Whispering Vine Wine Company (3886 Mayberry Drive). Councilperson Sferrazza said that the Stone House and Napa Sonoma should not be compared because one is a restaurant with food service and the other is a specialty retail shop with a bar.

Councilperson Dortch noted that anyone could visit the Stone House Restaurant's bar without ordering food.

Councilperson Hascheff and Ms. Hanson agreed that alcohol would only be served in one corner of the Napa Sonoma store and nowhere else in the Plumgate center.

Discussion ensued regarding the square footage of the proposed wine bar and how it compares with square footage at Whispering Vine Wine Company; the definition of "specialty liquor"; and the applicant's request for liquor licenses (see items C.1.d. and C.1.e.).

Chris Barrett, representing the applicant, said that the liquor license is for a full service bar, but they will not be selling alcohol or beer except at the bar.

Ana Navarro, Revenue Program Manager, clarified that the Napa Sonoma application lists bar and packaged liquor sales, and they also requested a bar license.

Mayor Cashell said that it sounds as though Napa Sonoma would be more of a bar and wine store, and would bear little resemblance to the old Napa Sonoma store. He said that while he might support the application for a wine bar, he would not support authorizing a full service bar or wholesale liquor sales at the establishment.

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F.1 Case No. LDC10-00037 (Plumgate SPD Amendment - Napa Sonoma) – continued

Mr. Barrett said that the packaged liquor license would allow the applicant to sell specialty baskets with wine or liquor in them, and there is no intention to wholesale liquor at the Napa Sonoma store.

Councilperson Zadra asked if issuing the applicant a liquor license would preclude him from selling liquor wholesale.

Ms. Navarro said that the applicant would need a wholesale license to sell liquor, beer and wine.

Councilperson Dortch clarified that the applicant applied for two liquor licenses, one to operate a full service bar, and another to allow the resale of liquor and wine in gift baskets.

Councilperson Zadra noted that the Council prohibited retail liquor sales in Plumgate; the Boulevard (550 West Plumb Lane), through successful court action, was granted authorization to sell wine and alcohol in gift baskets, but does not serve alcohol in their store; and the Council approved the sale of alcohol at the Stone House Restaurant. Ms. Zadra asked staff what conditions the Council placed on the restaurant.

Ms. Hanson replied that the conditions placed on the Stone House Restaurant were for a single restaurant with liquor sales; a lounge area that may not exceed 20% of the gross floor area or 780 square feet, whichever is less, with no more than 8 bar stools; and a full kitchen that is open whenever the lounge is open.

Councilperson Zadra said that Napa Sonoma's request is for a change in Plumgate's operating hours as well as its operations, and suggested continuing the item while staff gathers more information. She reiterated that concerns voiced at today's meeting were not brought to the NAB or Planning Commission.

Mr. Barrett stated that the applicant would be willing to continue the issue with respect to the bar for two weeks, but would like to have the package liquor license approved today so that production of the gift baskets could begin.

Ms. Hanson stated that the sale of package alcohol in gift baskets is not currently allowed in the Plumgate SPD Handbook.

It was moved by Councilperson Zadra, seconded by Councilperson Hascheff to continue this item to the May 12, 2010 meeting.

Motion carried.

AGENDA
ITEM
NO.

- F.1.1 **ORDINANCE INTRODUCTION** Bill No. Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning", Section 18.08.102(b).1260, by amending Ordinance No. 5620 to change the text in the SPD Handbook to: (1) allow alcohol service for a specialty retail establishment; and (2) add a definition for the hours of operation for the specialty retail establishment, located on the southeast corner of the Plumb Lane and Arlington Avenue intersection in an SPD (Specific Plan District) zone; together with other matters properly relating thereto. **Case No. LDC10-00037 (Plumgate SPD Amendment – Napa Sonoma). [Ward 2]**

THIS ITEM WAS CONTINUED TO THE MAY 12, 2010 MEETING.

C.1 Approval of Privileged Business Licenses
New Licenses – Liquor

- d. Napa Sonoma Grocery Company, Dennis Banks and Art Hinckley, 550 West Plumb Lane, Suite E.
- e. Napa Sonoma Grocery Company, Dennis Banks and Art Hinckley, 550 West Plumb Lane, Suite E.

Recommendation: Staff recommends that the Council approve the Privileged License applications, subject to Police Department approval.

It was moved by Councilperson Zadra, seconded by Councilperson Hascheff to continue items C.1.d. and C.1.e. to the May 12, 2010 meeting.

Motion carried.

- F.2 Staff Report: Request for an annexation of one parcel totaling ±1.24 acres within the City's sphere of influence located on the northeast corner of Cassilis Drive and Silver Lake Road. The parcel is in the Reno-Stead Joint Corridor Plan area and will be zoned LLR1. **Case No. LDC07-00003 (Litz - 8300 Cassilis Drive). [Ward 4]**

Recommendation: Staff recommends that the Council approve the request.

The Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and a letter in opposition was received from Christopher S. Johnson, 8445 Wise Avenue.

Mayor Cashell opened the public hearing and asked if anyone wished to speak. No one spoke and the Mayor closed the public comment portion of the hearing.

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F.2 Case No. LDC07-00003 (Litz - 8300 Cassilis Drive) – continued

It was moved by Councilperson Dortch, seconded by Councilperson Hascheff to approve the requested annexation by ordinance based on an evaluation of the ten Annexation Criteria in the Reno Municipal Code.

Motion carried.

F.2.1 ORDINANCE, INTRODUCTION Bill No. Ordinance annexing to and making part of the City of Reno certain specifically described territory being ± 1.24 acres of property located within the City's sphere of influence and located on the northeast corner of Cassilis Drive and Silver Lake Road in Washoe County, Nevada; together with other matters properly relating thereto. **Case No. LDC07-00003 (Litz - 8300 Cassilis Drive). [Ward 4]**

It was moved by Councilperson Dortch, seconded by Councilperson Gustin to refer Bill No. 6708 to the Committee of the Whole.

Motion carried.

F.3 Staff Report: Request for an annexation of one parcel totaling ± 4.3 acres within the City's sphere of influence and cooperative planning area located on the southwest corner of Wedge Parkway and State Route 431 (Mount Rose Highway). The parcels are already zoned MU (Mixed Use) with the RRC (Redfield Regional Center) Overlay. **Case No. LDC05-00241 (Campus Commons). [Ward 2]**

Recommendation: Staff recommends that the Council approve the request.

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

F.3.1 ORDINANCE, INTRODUCTION Bill No. Ordinance annexing to and making part of the City of Reno certain specifically described territory being ± 4.3 acres of property located within the City's sphere of influence and the cooperative planning area located on the southwest corner of Wedge Parkway and State Route 431 (Mount Rose Highway) in Washoe County, Nevada; together with other matters properly relating thereto. **Case No. LDC05-00241 (Campus Commons). [Ward 2]**

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

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- F.4 **Staff Report:** Request for an annexation of two parcels totaling ±10.52 acres within the City's sphere of influence and cooperative planning area located on the north side of Wedge Parkway, ±500 feet west of its intersection with State Route 431 (Mount Rose Highway). The parcels are already zoned MU (Mixed Use) with the RRC (Redfield Regional Center) Overlay. **Case No. LDC05-00234 (St. Mary's at Galena). [Ward 2]**

Recommendation: Staff recommends that the Council approve the request.

The Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and no correspondence was received.

Mayor Cashell opened the public hearing and asked if anyone wished to speak. No one spoke and the Mayor closed the public comment portion of the hearing.

It was moved by Councilperson Zadra, seconded by Councilperson Gustin to approve the requested annexation by ordinance based on an evaluation of the ten Annexation Criteria in the Reno Municipal Code.

Councilperson Aiazzi disclosed that his wife works for Saint Mary's, but not at the Galena branch.

Councilperson Sferrazza noted that the parcels have already been designated as MU (Mixed Use).

Motion carried.

- F.4.1 **ORDINANCE, INTRODUCTION** Bill No. Ordinance annexing to and making part of the City of Reno certain specifically described territory being ±10.5 acres of property located within the City's sphere of influence and the cooperative planning area located on the north side of Wedge Parkway, ±500 feet west of its intersection with State Route 431 (Mount Rose Highway) in Washoe County, Nevada; together with other matters properly relating thereto. **Case No. LDC05-00234 (St. Mary's at Galena). [Ward 2]**

It was moved by Councilperson Zadra, seconded by Councilperson Gustin to refer Bill No. 6709 to the Committee of the Whole.

Motion carried.

COUNCILPERSON SFERRAZZA ABSENT AT 11:36 A.M.

AGENDA
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NO.

- F.5 Staff Report: Request for a zoning text amendment to Planning Unit 6 of the Sharlands PUD (Planned Unit Development) to: (a) modify the landscape setback required adjacent to Robb Drive from a minimum of 15 feet in width to an average width of 15 feet; (b) modify the landscape setback required adjacent to Sharlands Avenue from a minimum of 30 feet in width to an average width of 18 feet; (c) reduce the sidewalk width required adjacent to the west side of Robb Drive from 10 feet to 6 feet; and (d) allow the sidewalk width required adjacent to Sharlands Avenue (5 feet) and Robb Drive (6 feet) to be included as part of the average landscape width requested in items a and b. Planning Unit 6 contains ± 5.4 acres and is located on the south side of Sharlands Avenue between Ambassador Drive to the west and Robb Drive to the east. The entire ± 123.2 acre PUD is bounded by MaeAnne Avenue to the west, I-80 to the south and extends $\pm 1,275$ feet east of the I-80/Robb Drive intersection. **Case No. LDC10-00035 (Sharlands PUD Amendment – Planning Unit 6). [Ward 1]**

Recommendation: The Planning Commission recommends approval of the requested zoning text amendment, subject to the conditions in the Staff Report.

The Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and no correspondence was received.

Mayor Cashell opened the public hearing and asked if anyone wished to speak.

Chuck Walker, 2365 Eagle Bend Trail, discussed his opposition to the proposed zoning amendment.

Steve Morton, Summit Engineering, representing Washoe County Regional Transportation Commission (RTC), said that the setback modifications and sidewalk modification are to allow RTC to construct road improvements at the Robb Drive and Sharlands Avenue intersection according to the 20/30 Plan, and will include an additional southbound lane on Robb Drive, two additional eastbound lanes on Sharlands Avenue, and two additional left turn lanes on Robb Drive going northbound. He said that RTC needs to acquire property from the Planning Unit 6 owners and shrink the setback in order to make the improvements, so they are requesting an average setback instead of a specific setback. Mr. Morton suggested that the roadway improvements will benefit the entire community.

The Mayor closed the public comment portion of the hearing.

Councilperson Gustin asked if the lot lines would have to be adjusted to make the necessary roadway improvements.

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NO.**

F.5 Case No. LDC10-00035 (Sharlands PUD Amendment – Planning Unit 6) – continued

Mr. Morton said that there is currently a 15-foot landscape setback on Robb Drive and 30-foot landscape setback on Sharlands Avenue, and the request would allow an average 15-foot landscape setback on Robb Drive and average 18-foot frontage landscape setback on Sharlands Avenue. He said that RTC would also like to put the sidewalk within the landscape setback and provide a parkway strip between the curb and sidewalk to separate the sidewalk from the traffic on Robb Drive and Sharlands Avenue, and modify the sidewalk on Robb Drive to be more consistent with what exists in the NDOT (Nevada Department of Transportation) right-of-way and surrounding area (i.e., six feet).

Mayor Cashell noted that the proposal would eliminate five or six feet of landscaping to accommodate the sidewalk, and reduce the width of the sidewalk from ten to six feet.

Mr. Morton said that the new street section will include a bicycle lane, which eliminates the need for a 10-foot wide sidewalk. He said that he would be asking Washoe County RTC and NDOT to present the plan to the Neighborhood Advisory Board (NAB) prior to construction.

Councilperson Hascheff and Mr. Walker discussed the proposed improvements.

Councilperson Aiazzi stated that Washoe County RTC is attempting to address traffic issues at the Robb Drive and Sharlands Avenue intersection, and could save the taxpayers a significant amount of money in condemnation costs if they are able to negotiate an agreement with the property owner.

Councilperson Aiazzi and Mr. Morton discussed setback and landscaping issues, including the potential installation of more mature trees and plants in the setback.

Councilperson Aiazzi asked if RTC plans to construct the sidewalk.

Mr. Morton replied that RTC will make improvements up to the curb line, and whoever first develops Planning Unit 6 would be required to install the sidewalk and landscape setback.

Councilperson Aiazzi asked if the project could be conditioned to require that RTC install the landscaping and sidewalk along with the completion of the roadway improvements.

Mr. Morton said that RTC's intention was to require that whoever first develops Planning Unit 6 install the required landscaping and tie into the existing NDOT sidewalk.

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F.5 Case No. LDC10-00035 (Sharlands PUD Amendment – Planning Unit 6) – continued

Councilperson Aiazzi said that residents cannot walk to the shopping center complex, particularly in wet weather, because there is no sidewalk on Sharlands Avenue.

Councilperson Gustin and Vern Kloos, Community Development Senior Planner, discussed whether potential Planning Unit 7 traffic improvements at the Ambassador and Sharlands Avenue intersection would affect RTC's Planning Unit 6 roadway improvements.

Mr. Kloos said that the current proposal is to determine where to install the sidewalk and where and how much landscaping should be installed in the setback, and discussed in detail the landscape setbacks on nearby properties.

Councilperson Gustin stated that he would be comfortable moving forward independently with the Planning Unit 6 and 7 roadway improvements.

Councilperson Gustin and Mr. Kloos discussed landscaping issues, and the preference for using more mature trees instead of an excess of trees in areas where the landscape setback is reduced to 15 feet.

Councilperson Gustin asked if the Council could require that the sidewalk be installed at the same time the roadway improvements are made.

Mr. Kloos said that the PUD requires property owners to construct sidewalks when they develop their property.

Councilperson Aiazzi reiterated that the City would be saving RTC a significant amount of money if they could avoid the condemnation process.

Councilperson Dortch stated that RTC cannot be required to make improvements on private property.

Councilperson Aiazzi said that the property owners could be required to install landscaping and construct the sidewalk and then request reimbursement from RTC, and suggested that it would only be needed on the Sharlands Avenue side of the road because there is currently nowhere to walk to on the Robb Drive side of the road.

Mr. Kloos suggested adding a condition requiring the Planning Unit 6 property owner to install the landscaping and sidewalk within a specified period of time.

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NO.

F.5 Case No. LDC10-00035 (Sharlands PUD Amendment – Planning Unit 6) – continued

Discussion ensued regarding the length of time the property owner should be given to install the landscaping and construct the sidewalk.

Councilperson Dortch said that he would not support the proposal because the property owner, not the taxpayers, should be responsible for the cost of the landscaping and sidewalk improvements on their property.

Councilperson Hascheff asked if the PUD could be amended to require an applicant to make landscape and sidewalk improvements if they develop the property before any roadways improvements are made, or to enter into an agreement to reimburse RTC if roadway improvements are made before the property is developed and RTC installs the landscaping and sidewalk improvements.

Mr. Kloos said that another option would be to stipulate that the Planning Unit 6 property owner install the landscaping and construct the sidewalk within a certain period of time after RTC completes the roadway capacity improvements.

Councilperson Dortch questioned the legality of having RTC make improvements on private property.

Councilperson Aiazzi said that Sharlands is not currently a walk-able community because there is no connection between points A and B. What is before us, he said, is an application for a private individual to make a change to their property, and the City is only requiring that they install the sidewalk if they want the change in setbacks approved. Mr. Aiazzi suggested that whether the property owner or RTC pays for the sidewalk will have to be negotiated by the property owner and RTC, and stated that the City is not requiring a public entity (RTC) to do anything on private property, but is rather requiring that the private property owner construct the sidewalk.

Councilperson Dortch said that RTC is the applicant.

Councilperson Aiazzi said that a government entity cannot ask a private party to amend a PUD Handbook.

Councilperson Dortch said that the property owner was probably required to sign an owner-affidavit when (s)he filed the application.

**AGENDA
ITEM
NO.**

F.5 Case No. LDC10-00035 (Sharlands PUD Amendment – Planning Unit 6) – continued

Councilperson Hascheff said that the property owner consented to the amendment by virtue of having the application brought before the Council. He said that the property owner has to construct the sidewalk anyway, and the Council is simply asking him to construct it concurrent with RTC's roadway improvements.

Councilperson Aiazzi reiterated that the sidewalk is currently only needed on Sharlands Avenue.

It was moved by Councilperson Gustin, seconded by Councilperson Aiazzi to uphold the recommendation of the Planning Commission with an added condition requiring the Planning Unit 6 property owner to install on Sharlands Avenue a sidewalk and landscaping consistent with what currently exists within 90 days after RTC completes their roadway capacity improvements.

Motion carried with Councilperson Sferrazza absent.

COUNCILPERSON AIAZZI ABSENT AT 12:09 P.M.

COUNCILPERSON SFERRAZZA PRESENT AT 12:09 P.M.

F.6 Staff Report: Public Hearing to receive comments regarding the City's intent to issue up to \$22.5 million in General Obligation (Limited Tax) Sewer Refunding Bonds (additionally secured by pledged revenues) for the purpose of refinancing sewer projects for the City, such as sewer plant expansion and other sewer projects.

Recommendation: Staff recommends that the Council hold an open public hearing to receive public input, and then close the public hearing.

The Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and no correspondence was received.

Mayor Cashell opened the public hearing and asked if anyone wished to speak.

Chuck Walker, 2365 Eagle Bend Trail, discussed his opposition to the refinancing proposal.

Sam Dehne, Reno resident, presented his views on this issue.

AGENDA
ITEM
NO.

- F.6 Public Hearing ... intent to issue up to \$22.5 million in General Obligation (Limited Tax) Sewer Refunding Bonds – continued

The Mayor closed the public comment portion of the hearing.

Councilperson Hascheff noted that the City would save approximately \$13.7 million in debt service over the first 8 years of the 30-year bond.

Jill Olsen, Acting Finance Director, presented a brief overview of the Staff Report.

It was moved by Councilperson Hascheff, seconded by Councilperson Gustin to uphold the staff recommendation.

Councilperson Sferrazza and Ms. Olsen discussed details of the bond proposal.

Councilperson Sferrazza requested that staff provide the Council with a cost/benefit analysis.

Ms. Olsen agreed to provide more information regarding interest rates, anticipated savings, etc., and said that an ordinance will be brought back to the Council in June 2010. She said that today's hearing is to receive public comment related to the GO (General Obligation) Sewer Refunding Bonds.

John Flansberg, Public Works Director, said that staff is currently compiling a list of projects that were bid over the past year and a half and the savings realized on those projects and, even though the City's engineer has lowered his estimates, bids are still coming in 25% to 30% lower than he estimated.

Motion carried with Councilperson Aiazzi absent.

- F.7 Update or possible approval of an easement regarding a portion of the Kietzke Lane right-of-way owned by the City of Reno and lying adjacent to APN 40-952-11 ("P.F. Changs Parcel") and APN 40-952-16 ("Multi-Tenant Parcel") located in the Meadows Marketplace Center, which is located in the 5000 block of Kietzke Lane.

The Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and no correspondence was received.

Mayor Cashell opened the public hearing and asked if anyone wished to speak. No one spoke and the Mayor closed the public comment portion of the hearing.

AGENDA
ITEM
NO.

- F.7 Update ... Kietzke Lane right-of-way owned by the City of Reno and lying adjacent to APN 40-952-11 ("P.F. Changs Parcel") – continued

Marilyn Craig, Deputy City Attorney, requested that this item be continued to the next Council meeting.

It was moved by Councilperson Zadra, seconded by Councilperson Hascheff to continue this item to the May 12, 2010 meeting.

Motion carried with Councilperson Aiazzi absent.

A.5 PUBLIC COMMENT

Mark Markel, 48 Park, discussed drinking and driving issues.

COUNCILPERSON AIAZZI PRESENT AT 12:22 P.M.

Steve Kralj, 3195 Socrates, discussed several issues.

Mac Rossi, 3260 Diamond Ridge Drive, discussed area residents' issues with off-road vehicles.

Wesley Widerholt, 335 Record Street, discussed tent-city overflow issues.

Earl Ammerman IV, P.O. Box 6555, discussed federal insurance issues.

Pam Bedard, 2201 Putnam Drive, representing the Reno Urban Forestry Commission, discussed upcoming Arbor Day activities.

Sam Dehne, Reno resident, discussed several issues.

G.0 ORDINANCES, ADOPTION – None.

A RECESS WAS CALLED AT 12:43 P.M. AND UPON RECONVENING AT 1:28 P.M. COUNCILPERSON ZADRA WAS ABSENT.

**AGENDA
ITEM
NO.**

H.0 RESOLUTIONS [Other Resolutions can be found under the Public Hearing Sections of this Agenda.]

- H.1 Staff Report: **Resolution No.** Resolution granting approval of Community Pride Grant Funds to the University of Nevada, Reno (UNR) International Club to produce and promote the Night of All Nations special event in the amount of \$4,500. [**Wards 1, 2, 3, 4 & 5**]

Recommendation: The NABs recommend that the Council adopt the resolution.

It was moved by Councilperson Gustin, seconded by Councilperson Aiazzi to adopt Resolution No. 7460.

Motion carried with Councilperson Zadra absent.

COUNCILPERSON ZADRA PRESENT AT 1:29 P.M.

- H.2 Staff Report: Approval of the re-conveyance of Prairie Dog Way North, a street access approximately 650 feet from the intersection of Double R Boulevard and South Meadows Parkway, located on APN 163-050-14, to MT3 Partners, LLC, a successor-in-interest to South Meadows Properties, LP. South Meadows Properties, LP dedicated Prairie Dog Way North to the City of Reno. The City of Reno has not accepted the dedication.

Recommendation: Staff recommends that the Council authorize the Mayor to issue a written offer of re-conveyance to MT3 Partners, LLC, of the City's rights, title, or interest in Prairie Dog Way North, reserving a sanitary sewer easement.

Councilperson Sferrazza and Kyle West, Community Development Engineering Manager, discussed details of the re-conveyance proposal, including retention by the City of the sanitary sewer easement. Mr. West said that the existing paved area was not built to City standards, and the property owner's lender (HUD) is requiring that the offer of dedication either be accepted by the City or re-conveyed back to the owners for use as private access to an as yet undeveloped parcel.

Councilperson Sferrazza and Mr. West agreed that the property owner would pay taxes on the property if it were transferred back to the property owner.

Councilperson Zadra and Marilyn Craig, Deputy City Attorney, discussed the City's legal interests in the property. Ms. Craig said that the City's interests are minimal because the offer of dedication was never accepted.

**AGENDA
ITEM
NO.**

H.2 Approval of the re-conveyance of Prairie Dog Way North – continued

It was moved by Councilperson Zadra, seconded by Councilperson Hascheff to uphold the staff recommendation.

Motion carried.

H.2.1 Resolution No. Resolution pursuant to NRS (Nevada Revised Statutes) 268.050 determining that re-conveyance of a roadway known as Prairie Dog Way North, offered for dedication to the City of Reno on Tract Map 3615A, with the offer deemed to remain open pursuant to NRS 278.390 located on parcel, APN 163-050-14, is in the best interest of the City of Reno and its residents and setting forth the terms of such conveyance, and authorizing the Mayor to issue an offer of re-conveyance to MT3 Partners, LLC.

Recommendation: Staff recommends that the Council adopt the resolution.

It was moved by Councilperson Zadra, seconded by Councilperson Gustin to adopt Resolution No. 7461.

Motion carried.

H.3 Staff Report: Discussion and approval of Recovery Zone Facility (RZF) Bond Subcommittee recommendations for eligible projects to receive RZF allocations within the City of Reno Recovery Zone.

Recommendation: Staff recommends that the Council discuss the recommendations from the Intergovernmental RZF Subcommittee prioritized ranking of qualified projects, and adopt the resolution.

Councilpersons Dortch and Gustin recused themselves from voting on items H.3 and H.3.1.

COUNCILPERSONS DORTCH AND GUSTIN ABSENT AT 1:34 P.M.

Maureen McKissick, Grant and Fund Development Manager, said that today's action would ratify approvals made earlier in the week by the City of Sparks and Washoe County, and noted that approvals for the Freight House projects listed on page 3 of the Staff Report should be for Phase 2A or 2B under Selected Projects, or Phases 2B and 3 under Potential Reallocation. She said that the amended resolution reflects those changes.

Councilperson Aiazzi and Ms. McKissick discussed due diligence and timeline issues.

AGENDA
ITEM
NO.

H.3 Discussion ... eligible projects to receive RZF allocations within the City of Reno Recovery Zone – continued

Councilperson Sferrazza asked what would occur if one of the developers with a selected project were unable to make the \$50,000 filing fee by the April 30, 2010 deadline.

Ms. McKissick said that staff would make every effort to contact the applicant to determine why the filing fee was not paid on time.

Councilperson Sferrazza and Mayor Cashell agreed that because of the short program period, the City should reallocate the funds immediately if someone is unable to pay the filing fee.

Ms. McKissick said that the program expires at the end of the year, and applicants have been advised that the timeline is not flexible.

Councilperson Zadra and Ms. McKissick discussed the criteria developed by the Intergovernmental RZF Bond Subcommittee for choosing projects to receive RZF Bond allocations (job creation, shovel readiness, and financial ability to meet the requirements of Nevada Revised Statutes). Ms. Zadra requested more information regarding the proposed Vista Hills hotels project.

Ms. McKissick offered to provide the Mayor and Council with a brief synopsis of each of the proposed projects via memorandum.

Mayor Cashell and Ms. McKissick discussed the possibility of considering other projects for future RZF Bond allocations.

Ms. McKissick provided details regarding the proposed Vista Hills hotels project.

Councilperson Sferrazza and Mayor Cashell agreed that staff should be authorized to accept additional applications if a developer is unable to make the \$50,000 filing fee by the specified deadline.

Ms. McKissick stated that she is compiling a list of projects that were submitted after the application deadline passed.

Councilperson Zadra asked if the projects on the Alternate Projects list are given in order of their priority.

Ms. McKissick replied that all of the projects are listed in priority order.

AGENDA
ITEM
NO.

H.3 Discussion ... eligible projects to receive RZF allocations within the City of Reno Recovery Zone – continued

Councilperson Hascheff (who served along with Mayor Cashell as Reno's representatives on the Intergovernmental RZF Bond Subcommittee) said that it was his understanding that failure to make the \$50,000 deposit would result in an automatic default, and the next applicant on the list would be notified to submit project materials and demonstrate lender support.

Mayor Cashell agreed that anyone who does not deposit the \$50,000 filing fee by the April 30, 2010 deadline would be dropped from the list, and consideration would then be given to the next applicant on the list.

Councilperson Hascheff and Ms. McKissick agreed that some of the projects listed in the Selected Projects category did not receive all of the funding they requested.

Ms. McKissick said that each of the applicants indicated that they would be able to proceed with the allocations they received, but that may change as the due diligence process proceeds. She said that some applicants asked if all or a portion of the \$50,000 deposit is refundable, and were told that the filing fee would be treated as a retainer and the balance returned to the applicant after any outstanding expenses were paid.

Councilperson Hascheff and Ms. McKissick agreed that if one of the projects on the Selected Projects list defaults, the first project on the Alternate Projects list would be eligible for funding. Ms. McKissick explained that the Subcommittee agreed that the money should be spread as widely as possible within the community, providing the requesting companies as much of the allocation as possible while considering all of the applicants, and many of the applicants indicated that their projects were scalable.

Councilperson Hascheff clarified by saying that, for instance, if Titan Solar Panel Manufacturing, one of the projects on the Selected Projects list with a \$5,000,000 allocation, does not submit the \$50,000 filing fee by the April 30 deadline, staff would call them to determine whether they are still interested and, if they are not, the allocation would default to GA-SNC – Airport, the first project on the list of Alternate Projects with a \$19,000 allocation. He said that if GA-SNC indicated that \$5,000,000 was enough for their project, they would move up to the Selected Projects list, but if they said that \$5,000,000 would not be enough for their project, the \$5,000,000 allocation would default to the next project on the Alternate Projects list.

AGENDA
ITEM
NO.

H.3 Discussion ... eligible projects to receive RZF allocations within the City of Reno Recovery Zone – continued

Ms. McKissick said that if both of the projects on the Alternate Projects list and some of the projects on the Selected Projects list default, the projects on the Potential Reallocation list would be considered for funding. After that, she said, staff would reconsider projects on the Selected Projects list.

Councilperson Zadra requested that staff provide more information with respect to the number of jobs that each project is expected to create.

Ms. McKissick, at Councilperson Sferrazza's request, provided a brief description of each of the projects that were selected for RZF Bond allocations.

Discussion ensued regarding the Freight House Phase 2A and 2B projects, and how Phase 2A, which has already been completed, would qualify for funding.

Jonathan Shipman, Deputy City Attorney, said that the resolution was revised to provide an opportunity to allow for the reimbursement of certain costs that have been incurred in the last 60 days if Nevada Land LLC and the City can come to agreement, and requested that the Council adopt the revised resolution.

Discussion ensued regarding details of each of the proposed projects.

Councilperson Sferrazza stated that the purpose of Recovery Zone Bonds is to create new jobs.

Ms. McKissick clarified that the American Recovery and Reinvestment Act of 2009 (ARRA) designated that the Recovery Zone programs were designed to inject capital into a failing economy and revitalize it, and they define revitalization as job creation.

Councilperson Sferrazza, referring to Phase 2A of the Freight House project, asked how something that has already been constructed would be eligible to receive a bonding allocation.

Garret Gordon, Lewis & Rocha attorney, representing Nevada Land LLC, explained how the Freight House projects would qualify for RZF Bonds.

Councilperson Sferrazza asked if the Subcommittee discussed TIF (Tax Increment Financing) issues when bonding for the Freight House projects was considered.

AGENDA
ITEM
NO.

H.3 Discussion ... eligible projects to receive RZF allocations within the City of Reno Recovery Zone – continued

Mayor Cashell said that TIF issues were not discussed during the Subcommittee's deliberations, but if Nevada Land LLC is able to get the project refinanced, they could then proceed with Phase B and revisit the TIF issue.

Mr. Gordon said that the TIF issue is related to discussions regarding STAR (Sales Tax Anticipated Revenue) Bonds because it is public money, whereas the RZF Bonds are loans that must be repaid at tax-exempt rates. He stated that Nevada Land LLC continues to move forward with the City on the TIF issue.

Councilperson Sferrazza stated that it would be in the City's best interest to get the next phases of the Freight House project on line because they would generate additional property tax revenue and relieve RDA2 from having to make the TIF payment.

Discussion ensued regarding Freight House project timelines.

Councilperson Sferrazza asked when RZF Bond awardees would have to begin construction on their projects.

Ms. McKissick said that Internal Revenue Service (IRS) tax code requires that tax-exempt proceeds be used within 36 months, but all of the RZF Bond applicants assured staff that they are shovel ready and would proceed with their projects as soon as the bond proceeds are received.

Councilperson Hascheff said that the tight timeline prepared by staff ensures that none of the funds will be wasted.

It was moved by Councilperson Hascheff, seconded by Councilperson Zadra to accept the Subcommittee's recommendations with respect to the prioritized ranking of qualified projects.

Councilperson Sferrazza said that she was satisfied with Mr. Gordon's explanation that the funding would actually be for future projects, and would enable them to proceed with Phases 2B and 3 of their project.

Discussion ensued regarding the due diligence process, and the merits of the proposed renewable energy projects.

Motion carried with Councilpersons Dortch and Gustin absent and abstaining.

AGENDA
ITEM
NO.

- H.3.1 **Resolution No.** Resolution allocating all or a portion of the City of Reno's \$65,604,000 volume cap for Recovery Zone Facility bonds pursuant to the American Recovery and Reinvestment Act (ARRA) of 2009; and providing the effective date hereof.

It was moved by Councilperson Hascheff, seconded by Councilperson Aiazzi to adopt Resolution No. 7462 as amended.

Motion carried with Councilpersons Dortch and Gustin absent and abstaining.

COUNCILPERSONS GUSTIN AND DORTCH PRESENT AT 2:10 P.M.

I.0 ORDINANCES, INTRODUCTION [Other Ordinance Introductions can be found under the Public Hearing Sections of this Agenda.]

- I.1 Staff Report: Bill No. Ordinance to amend Title 5 of the Reno Municipal Code entitled "Privileged Licenses, Permits and Franchises," by amending Chapter 5.05 entitled "Licenses Generally," by amending Section 5.05.008 entitled "General Requirements" to revise interim licensing language; and providing other matters properly relating thereto.

Recommendation: Staff recommends that the Council refer the Bill to the Committee of the Whole.

Councilperson Aiazzi and Jill Olsen, Acting Finance Director, clarified the intent of the proposed ordinance.

It was moved by Councilperson Aiazzi, seconded by Councilperson Gustin to refer Bill No. 6710 to the Committee of the Whole.

Motion carried.

J.0 STANDARD DEPARTMENT ITEMS

J.3 CITY MANAGER

- J.4 Staff Report: Update and presentation on the City of Reno's website "Reno.gov", discussion and potential direction to staff.

Recommendation: Staff recommends that the Council accept the report.

Kristy Fifelski, Web Services Program Manager, presented the update.

COUNCILPERSON ZADRA ABSENT AT 2:17 P.M.

AGENDA
ITEM
NO.

- J.4 Update ... City of Reno's website "Reno.gov" – continued

Councilperson Sferrazza and Rick Vandenberg, Director of Communications and Technology, discussed glitches in the new e-mail system.

- J.5 Staff Report: Discussion and potential direction to staff regarding a proposed \$53,000 reduction to the FY2009/2010 Special Events Program budget and potential direction to staff on sponsorship of special events scheduled to occur during the remainder of FY2009/2010. (General Fund)

Recommendation: Staff recommends that the Council approve the reduction to the 2009-2010 Special Events Program budget.

Cadence Matijevich, Special Events Program Manager, presented an overview of the Staff Report. She noted several changes in previous requests and allocations, and said that the \$5,000 previously set aside for the film shoot reserve could be used to support the 2010 Bark For Life and 2010 Juneteenth Celebration and Parade events, which would leave approximately \$1,100 for events requesting funding between now and the end of the fiscal year, or for Fourth of July marketing or activities.

Mayor Cashell asked if Reno is sponsoring a fireworks display on July 4, 2010.

Ms. Matijevich replied that the City of Reno is not hosting a fireworks display on July 4, 2010.

Councilperson Aiazzi noted that the Reno Aces are hosting a fireworks display on July 4, 2010.

Councilperson Sferrazza and Ms. Matijevich discussed sponsorship issues related to the 2010 International Fiesta on Wells Avenue. Ms. Matijevich said that the event received sponsorship of their City service costs through the non-commercial program for the past two years, and is ineligible for a third year of support under that program. She also said that their total expenses are currently estimated at \$11,000, and between the Ward 3 NAB's \$3,250 CPG allocation (see item C.6) and Councilperson Sferrazza's donation of \$3,000, they have received \$6,250, or approximately 50% of their service costs.

Councilperson Sferrazza and Tracy Chase, Chief Deputy City Attorney, discussed the donation resolution, which relates to the donation of funds to third party non-profits, and inter-fund transfers within the City's budget.

City Manager Dreska noted that the remaining \$10,000 in the Special Events Budget was reallocated to other areas during the budget preparation process.

AGENDA
ITEM
NO.

- J.5 Discussion ... \$53,000 reduction to the FY2009/2010 Special Events Program budget – continued

Councilperson Aiazzi suggested allocating the remaining \$1,100 to the 2010 International Fiesta on Wells Avenue event.

Ms. Matijevich said that May 1, 2010 is the application deadline for events to be held in a City park, and reiterated that non-commercial sponsorship is for City service costs only.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to uphold the staff recommendation and specify that if no other applications are received by May 1, 2010, the remaining \$1,100 should be allocated to the 2010 International Fiesta on Wells Avenue event.

Mayor Cashell and Ms. Matijevich discussed funding for the 2010 Juneteenth event.

Motion carried with Councilperson Zadra absent.

- J.6 Update, discussion and potential direction to staff regarding an Interlocal Agreement for Fire Services with Truckee Meadows Fire Protection District (TMFPD) regarding duties and responsibilities of the Joint Fire Advisory Board (JFAB), Standards of Coverage Study and Equitable Distribution of Departmental Savings.

Mike Hernandez, Fire Chief, provided the update, and said that the entities are close to reaching an agreement regarding a one-year extension of the Interlocal Agreement.

Discussion ensued regarding the rebate and Standards of Coverage Study issues.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to accept the report.

Motion carried with Councilperson Zadra absent.

**AGENDA
ITEM
NO.**

J.7 CITY ATTORNEY (THIS ITEM IS CONTINUED FROM J.1 TO J.7)

- J.8 Staff Report: Approval of a Hold Harmless Agreement with Resort Concepts Inc., dba Wild River Grille, with respect to outdoor dining on a portion of Island Avenue between Arlington Avenue and Sierra Street, now known as a portion of the River Walk or Esplanade.

Recommendation: Based upon Council's approval of outdoor dining incidental to the Wild River Grille operation subject to the execution of a Hold Harmless Agreement with the City of Reno, staff recommends that the Council approve the Hold Harmless Agreement.

Marilyn Craig, Deputy City Attorney, presented an update on the outdoor dining issue discussed at the April 14, 2010 meeting (item C.16), and requested that this item be continued to the next meeting to allow time to resolve issues raised by Mr. Shapiro's (the applicant's) attorney.

It was moved by Councilperson Hascheff, seconded by Councilperson Aiazzi to continue this item to the May 12, 2010 meeting.

Motion carried with Councilperson Zadra absent.

K.0 CITY CLERK

K.1 Boards and Commissions Appointments

K.1.a. Senior Citizen Advisory Committee

It was moved by Councilperson Hascheff, seconded by Councilperson Gustin to appoint Donna Clontz to the Senior Citizen Advisory Committee.

Motion carried with Councilperson Zadra absent.

K.1.b. Downtown Police Special Assessment District (SAD) Committee

It was moved by Councilperson Gustin, seconded by Councilperson Dortch to reappoint Darrell Clifton to the Downtown Police Special Assessment District Committee.

Motion carried with Councilperson Zadra absent.

**AGENDA
ITEM
NO.**

K.1.c. Regional Planning Commission

It was moved by Councilperson Dortch, seconded by Councilperson Gustin to reappoint Dennis Romeo to the Regional Planning Commission.

Motion carried with Councilperson Zadra absent.

L.0 MAYOR AND COUNCIL

L.1 Identification of Mayor and Council Items for Future Agendas of the Reno City Council.

Councilperson Aiazzi requested a discussion and possible action regarding unallocated funds.

Councilperson Hascheff requested a discussion and potential action to suspend the rules and reconsider the vote not to move forward made by the Board at the last meeting of the Shared Services Elected Officials Committee.

Councilperson Gustin requested a discussion and possible action regarding the formation of a Subcommittee of the Downtown Police Special Assessment District Committee to improve communications and resolve issues between police officers, the Community Assistance Center, and others such as Saint Vincent's.

Councilperson Sferrazza requested an update on the illegal dam on Boynton Slough.

THIS ITEM WAS DISCUSSED AGAIN LATER IN THE MEETING.

L.2 Liaison Reports

NO ACTION WAS TAKEN ON THIS ITEM.

L.3 Reports from any Conferences or Professional Meetings.

NO ACTION WAS TAKEN ON THIS ITEM.

L.4 Update, discussion and potential direction to staff regarding Community Development Block Grant (CDBG) allocations. J. Sferrazza

Maureen McKissick, Grant & Fund Development Manager, noted that staff is scheduled to review how the City utilizes their CDBG funds and discuss the new consolidation plan at the May 12, 2010 meeting, and asked if there is anything specific that the Council would like to have addressed at that time.

**AGENDA
ITEM
NO.**

**L.4 Update ... regarding Community Development Block Grant (CDBG) allocations
 – continued**

Councilperson Sferrazza requested information regarding what the City is doing, and can do, with CDBG funds; for instance, can the funds be used for open space and greenways projects or employing a Code Enforcement officer. She said that Reno should consider the possibility of setting up a Board that would allocate the City's CDBG funds.

Ms. McKissick suggested that staff prepare an historical spreadsheet of CDBG allocations made over the past five years and a report regarding the types of eligible CDBG activities.

Councilperson Sferrazza said that she was interested in exploring other ways of utilizing the City's CDBG funds, ways that might not have been considered in past years.

Jodi Royal-Goodwin, Community Reinvestment Manager, said that the primary limitation is that 70% of CDBG funds must be utilized to benefit low and moderate-income households, and while there is the potential for using them for open spaces, it must be done in a low or moderate-income neighborhood.

Councilperson Sferrazza discussed the merits of hiring more Code Enforcement officers.

Ms. Royal-Goodwin said that the problem is that a CDBG-funded Code Enforcement officer's activities must be tied to a CDBG activity that benefits low and moderate-income households.

Councilperson Sferrazza and Ms. Royal-Goodwin agreed to explore with Dave Morton of the Reno Housing Authority the possibility of using Neighborhood Stabilization Program (NSP) funds to hire a Code Enforcement officer.

L.5 **RESOLUTION No. Resolution donating \$7,000 from Council donation funds
 to ARTown to offset costs associated with the annual arts and culture festival. D.
 Aiazzi**

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to adopt Resolution No. 7463.

Motion carried with Councilperson Zadra absent.

AGENDA
ITEM
NO.

- L.6 Discussion and potential direction to staff regarding the City of Reno financing up to \$400,000 for the purchase of the Northgate Golf Course to stop the potential development of housing of those 228.59 acres. (A group has come forward that may be willing to front the money for the City of Reno to participate in this worthwhile cause that promotes one of our priorities regarding protecting Open Space and Greenways. A ten-year commitment at 5% interest would cost the City no more than \$55,000 per year.) D. Aiazzi

Councilperson Aiazzi presented an overview of the Staff Report. He said that the homes in the Northgate Golf Course area are valued at over \$44 million, and if the homeowners were to request a reduction in their property taxes because the property is no longer zoned open space, it would probably cost the City, County and School District more in lost taxes than it would to purchase the Golf Course.

Mayor Cashell asked if the City's commitment would be subject to the residents obtaining the signatures necessary to form an SAD and the County's commitment to pay \$400,000 towards the purchase price of the property.

Councilperson Aiazzi said that he is asking the City to commit \$400,000 subject to the residents' success in obtaining the signatures necessary to form an SAD.

Councilperson Sferrazza stated that she did not want the property to be developed for housing, and asked what would happen if it were not acquired for open space.

Councilperson Aiazzi said that the City zoned all of Reno's golf courses as open space, but RJB Development Company might claim that the zoning should revert to what it was when they donated the land to Washoe County if the property defaults back to them. He explained that the property would have to be split into parcels if the property owners form an SAD because State law requires that the SAD pay at least 90% of the purchase price. The City and County, he said, would purchase separate parcels, everything will be allocated as park space, and the property could never be sold because of the way in which the SAD was formed. Councilperson Aiazzi said that the deal should be made or not made in the next two months, and staff could work out the details afterwards.

Councilperson Sferrazza requested that staff determine whether the \$200,000 previously set aside for open space acquisition is still available, and to explore the possibility of obtaining Nature Conservancy and Q-1 funds to avoid using the General Fund for the purchase.

Councilpersons Aiazzi and Hascheff discussed the \$266,000 refundable deposit that Washoe County has already made on the property.

Councilperson Dortch stated his concern about committing \$400,000 of General Fund monies while other sources of funding are explored.

AGENDA
ITEM
NO.

- L.6 Discussion ... financing up to \$400,000 for the purchase of the Northgate Golf Course – continued

Councilperson Hascheff said that the City would not be writing a \$400,000 check, but would instead be committing to finance the \$400,000 at 5% interest.

Councilperson Dortch said that the Council would be committing the \$400,000 from the General Fund if another source of funding cannot be found.

Councilperson Sferrazza said that the payments would be made over time, possibly with open space funds.

Councilperson Dortch noted that open space funds are part of the General Fund, and it remains unclear whether there is any money remaining in the open space allocation. He stated that the City is unable to maintain the open space they already own, and to commit General Fund dollars with no available revenue source would not be prudent.

Councilperson Aiazzi agreed, and asked the Council to trust that he can find the money necessary to make the purchase without resorting to the General Fund. He stated that this would be a 20-25 year plan, and the residents understand that the City would not be responsible for maintaining the property.

Councilperson Dortch suggested that a park of this size should be a regional park that is owned and maintained by the County.

Councilperson Aiazzi replied that Washoe County is unwilling to maintain the property as a regional park. He noted that in 1991, the City was in financial trouble and contemplating the elimination of the Junior Ski Program, but they trusted some people to help find the money necessary to keep the Program alive. He also said that there are many things that must fall into place before the purchase could be made, and asked for the Council's trust.

Councilperson Sferrazza suggested stipulating in the motion that the \$400,000 could not be taken from the General Fund.

Councilperson Gustin stated his unqualified support for Councilperson Aiazzi and the proposed purchase, and for limiting the SAD to properties adjacent to the open space. He said that while he hoped it would not be necessary to use the General Fund for the City's share of the purchase, this is a one-time opportunity for the City to purchase 228 acres of land and preserve it for the good of the entire community. Councilperson Gustin said that there might be other private sources of funding that would be explored, and the City should step forward to make this happen.

**AGENDA
ITEM
NO.**

- L.6 Discussion ... financing up to \$400,000 for the purchase of the Northgate Golf Course – continued

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to approve \$400,000 in financing for the purchase of Northgate Gold Course, stipulating that the funds not be taken from the General Fund, and contingent on obtaining the signatures necessary to form a Special Assessment District.

Councilpersons Hascheff and Aiazzi agreed that the motion would preclude using the General Fund for even a portion of the \$400,000, and that the Council could change that stipulation when the issue comes back to the Council for further action or approval.

Councilperson Aiazzi thanked Councilperson Gustin for his fund raising efforts and support.

Councilperson Dortch stated that he would support the motion because it stipulates that the General Fund cannot be tapped for the \$400,000.

Motion carried with Councilperson Zadra absent.

J.1 CITY ATTORNEY

- J.2 Staff Report: Discussion and possible approval of a Settlement Agreement of City of Reno, et al. v. Barbara C. Thornton, et al., Case No. CV08-01343 regarding ownership of Military Road in the current and previous configurations in the vicinity of the intersection of Military and Lemmon Valley roads and extending northward along Military Road for approximately 2,600 feet, authorization to sign and file an amended Complaint as part of the settlement process; and other matters related thereto.

Recommendation: The City Attorney's Office will provide a recommendation at the meeting.

Marilyn Craig, Deputy City Attorney, provided details regarding the terms of the Settlement Agreement.

It was moved by Councilperson Hascheff, seconded by Councilperson Sferrazza to approve the Settlement Agreement.

Motion carried with Councilperson Zadra absent.

AGENDA
ITEM
NO.

- L.1 Identification of Mayor and Council Items for Future Agendas of the Reno City Council.

THIS ITEM WAS ALSO DISCUSSED EARLIER IN THE MEETING.

Mayor Cashell requested a discussion and possible action regarding the possibility of amending the City Council Rules to change the time of Regular City Council and Redevelopment Agency Board meetings.

M.0 PUBLIC HEARINGS – 6:00 P.M. – None.

MEETING ADJOURNED AT 3:07 P.M.